

## **REMARKS**

By this Amendment, Applicant has canceled claims 1-25 without prejudice or disclaimer of the subject matter contained therein, and added new claims 26-54 to claim additional aspects of the invention. Applicant has also amended the drawings to correct informalities. Claims 26-54 remain pending.

In the Office Action dated June 15, 2004, the Examiner: indicated that the oath or declaration was missing; objected to the drawings for failing to comply with 37 C.F.R. 1.84(p)(4); rejected claims 2, 4, 8, and 16 under 35 U.S.C. § 112, ¶ 2 for being indefinite; rejected claims 9-11 and 16 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,768,164 ("*Hollon*"); rejected claims 1, 3-7, 12-14, 17-18, 21, and 25 under 35 U.S.C. § 103(a) as unpatentable over *Hollon*; rejected claims 2 and 20 as unpatentable over *Hollon* in view of U.S. Patent No. 6,385,466 ("*Hira*"); and rejected claims 8 and 15 under 35 U.S.C. § 103(a) as unpatentable over *Hollon* in view of U.S. Patent No. 5,710,576 ("*Nishiyama*").

## **MISSING OATH OR DECLARATION**

Applicant filed a **Declaration** on May 1, 2002 in reply to a Notice to File Missing Parts dated March 19, 2002. For the Examiner's convenience, Applicant attaches herewith a copy of the **Declaration** as filed on May 1, 2002 and a copy of the PTO-stamped postcard indicating receipt of the **Declaration**.

## **OBJECTION TO DRAWINGS**

Per the Examiner's request on pages 2 and 3 of the Office Action, Applicant has amended the drawings as discussed above in the **Amendments to Drawings** section. Attached herewith are **Replacement Drawings** (7 Sheets - Figs. 3-5, 10-13, 21, and

24-28) reflecting the amendments to the drawings. Accordingly, the objection to the drawings is deemed overcome.

### **REJECTION OF CLAIMS 1-25**

Applicant has canceled claims 1-25 without prejudice or disclaimer of the subject matter contained therein. Accordingly, the rejection of claims 1-25 is moot.

Applicant reserves the right to pursue the subject matter contained in claims 1-25 at a later time, for example, in a continuation or other application.

### **NEW CLAIMS 26-54**

Applicants have added new claims 26-54. Claims 26-54 are allowable over the prior art of record.

Particularly, claim 26 is allowable over *Hollon*, *Hirai*, and *Nishiyama* at least because neither *Hollon*, *Hirai*, nor *Nishiyama* separately or in combination teaches a portable information apparatus including a main display, a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position, detection means for detecting a system abnormality of the portable information apparatus, and display control means for displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means, as recited in claim 26.

*Hollon* merely discloses a portable computer with a spontaneous use display 39 on the cover, that displays a clock/alarm/stopwatch application (Fig. 3), an appointment calendar application (Fig. 4), a phone book application (Fig. 4), an application that reports the current status of the portable computer (Fig. 5), and a CD player application (Fig. 6), when the cover is closed (3:1-17). Spontaneous use display 39 is controlled by

ASIC 84, which coordinates with video control 83 to map a section 21 of main display 30 to spontaneous use display 39 (3:34-41). Spontaneous use display 39 is dependent upon the display of section 21 of main display 30. That is, spontaneous use display 39 merely displays what is displayed on section 21 of main display 30. Accordingly, *Hollon* does not teach or suggest at least a main display and a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position.

Further, *Hollon* does not teach or suggest that a message indicating an abnormal state of the portable computer is displayed on section 21. If a message indicating an abnormal state is not displayed on section 21, then the message is not displayed on spontaneous use display 39. Accordingly, *Hollon* does not teach or suggest at least detection means for detecting a system abnormality of the portable information apparatus, and display control means for displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means.

*Hirai* does not, separately or in combination, overcome the above deficiencies of *Hollon*. *Hirai* merely discloses a portable terminal device including display means 40, light-emitting means 31 and 32 for emitting backlight, drive means 21 and 22, and control means 11 for controlling the drive means 21 and 22 to cause light-emitting means 31 and 32 to emit different backlight colors according to the content of the information to be transmitted (Abstract, 4:23-42).

*Nishiyama* also does not, separately or in combination, overcome the above deficiencies of *Hollon*. *Nishiyama* merely discloses a partial display area 14 that is still

visible when display 13 is partially covered by second housing 11 (Figs. 1A and 1B).

Partial display area 14 is a portion of and dependent upon display 13.

Therefore, for the above reasons, claim 26 is allowable over *Hollon*, *Hirai*, and/or *Nishiyama*. Further, claims 27-31 are also allowable at least by virtue of their dependence upon allowable claim 26, in addition to the patentable subject recited therein.

Although independent claims 26, 39, 48, and 49 have different scopes, claims 39, 48, and 49 include subject matter similar to the features discussed above for claim 26. Therefore, independent claims 39, 48, and 49, and any of their dependent claims 40-42 are allowable at least for the reasons discussed above for claims 26-31.

Similarly, independent claims 32 and 43 are allowable over *Hollon*, *Hirai*, and *Nishiyama* at least because neither *Hollon*, *Hirai*, nor *Nishiyama* separately or in combination teaches a portable information apparatus including a main display, a sub-display provided independent of the main display and at a position where the sub-display is externally visible when the main display is in a closed position. Further, neither *Hollon*, *Hirai*, nor *Nishiyama* separately or in combination teaches generating a plurality of types of events with a jog device, and displaying a name of an application program to be started in response to the event generated by the jog device on the sub-display in one of a power-off state, a sleeping state, and a main display off state, as recited in claims 32 and 43.

Claim 50 is allowable over *Hollon*, *Hirai*, and *Nishiyama* at least because neither *Hollon*, *Hirai*, nor *Nishiyama* separately or in combination teaches selection means

which selects a predetermined function, and display control means which displays information concerning the selected predetermined function on a sub-display.

### **SUPPLEMENTAL IDS**

Applicant files concurrently herewith a Supplemental Information Disclosure Statement (IDS) and Form PTO 1449 in response to the Examiner not considering Japanese Patent Publication No. 06-334800, which Applicant submitted as Japanese document number 3072208 ("the listed document"), in the IDS and PTO 1449 of February 20, 2002.

In the Office Action dated June 25, 2004, the Examiner returned the PTO 1449 of February 20, 2002 with the listed document crossed out, despite the fact that Applicant provided a concise statement of relevance for the listed document in the IDS of February 20, 2002. The Examiner should have considered the listed document because the IDS of February 20, 2002 met the requirements of 37 C.F.R.

§ 1.98(a)(3)(i). However, to further clarify the relevance of the listed document, Applicant includes herewith an English translation of the abstract for the listed document. Another copy of the listed document is also attached for the Examiner's convenience. Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

### **CONCLUSION**

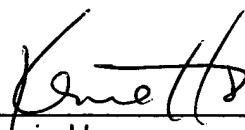
In view of the foregoing remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: September 15, 2004

By:   
Kenie Ho  
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**Attachments:**

- 1) Copy of **Declaration** filed on May 1, 2002 (with copy of PTO-stamped postcard showing receipt of **Declaration** on May 1, 2002)
- 2) **Replacement Drawings** (7 Sheets - Figs. 3-5, 10-13, 21, and 24-28)